

REMARKS

A total of 17 claims remain in the present application. The foregoing amendments are presented in response to the Final Action mailed **Error! Reference source not found.**, wherefore reconsideration of this application is requested.

By way of the above-noted amendments, independent claims 1 and 22 have been amended to more precisely define features of the present invention. Claims 7, 12 15 and 19 have been amended, and claims 2, 3, 9 and 10 cancelled to reflect the above-noted amendment of claims 1 and 22. New claims 23-27 have been introduced, to define further features of the present invention, which are believed to be patentable In preparing the above-noted amendments, careful attention was paid to ensure that no new subject matter has been introduced. In particular, it is submitted that each of the features of new claims 23-27 are explicitly defined and/or readily inferable from the teaching of the originally filed specification.

Referring now to the text of the Office Action:

- claims 1-3, 5, 6, 9, 10, 12, 15, 17-19 and 22 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over the teaching of United States Patent Application Publication No. 2003/0135339 (Gristina et al.).

The Examiner's claim rejections are believed to be traversed by way of the foregoing amendments and further in view of following discussion.

The present invention provides methods and systems for providing cost-effective power consumption monitoring of a plurality of power consumer sites. The system of the present invention utilizes a respective low cost monitoring unit which is installed at each site, and a central monitoring service server. As detailed in the original specification, the monitoring unit periodically samples power consumption of each power distribution circuit of its site, and stores the resulting sample data. At predetermined intervals (or in response to some other event), the stored data is transmitted to the monitoring service server. Upon successful download of the data, the stored power consumption data can be cleared, so that during each attempt to download power consumption data to the remote server, the monitoring

unit will only transmit data stored since the previous successful download. This arrangement provides the advantages of being tolerant to faulty/intermittent communications links, and can utilize a low bandwidth connection. Thus, for example, the original specification teaches that power consumption data can be transmitted to the remote server using a dial-up modem connection through the PSTN. In addition, the monitoring unit can be configured to store the power consumption data in a non-volatile memory, which ensure that no data is lost in the event of a power interruption.

Gristina does not teach or fairly suggest this operation. In fact, Gristina teaches an entirely decentralized solution, in which a local server 30 receives power consumption data from a plurality of sensors 15 and metering devices 20 at its respective site 23 [FIG. 2]. Based on the data received from the sensors 15 and metering devices 20, the local server 30 provides "feedback signals ... to control the resource states of the building" and facilitates a variety of power consumption analysis and management functions. [See Para 69] All of these functions are local to the specific site 23, and therefore require extensive computing and data storage capabilities.

In the embodiment of FIGs. 3 and 4, a remote server 65 is provided. However, Gristina does not clearly specify what information is communicated between the two servers. More particularly, Gristina does not indicate whether the local server 30 is sending "raw" sample data to the remote server 65, as in the present invention, or the results of processing that data. Nor does Gristina teach how data is transmitted between the local server 30 and the remote server 65, except to imply that the internet connection 60 (FIG. 3) would be used. Gristina does not indicate that this connection could be a low-bandwidth or intermittent connection, or suggest any methods of dealing with such a connection. In this respect, Gristina's only reference to connection quality is provided in FIG. 4, in which the connection 42 between the consumer site and the internet is shown as a "Full time High-Speed Internet Connection". Clearly, a requirement for a full time high speed connection precludes the intermittent dial-up operation enabled by the features of the present invention.

For at least these reasons, it is respectfully submitted that the presently claimed invention is clearly distinguishable over the teachings of the known prior art, taken alone or in

any combination. Thus, it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,

/Kent Daniels/
By: Kent Daniels P.Eng.
Reg. No. 44206
Attorney for the Applicants

Date: February 20, 2007

Ogilvy Renault LLP
Suite 1500
1981 McGill College Avenue
Montreal, Quebec
Canada, H3A 2Y3
(613) 780-8673